

## County Council set to OK zoning changes

BY SUSAN SINGER-BART  
STAFF WRITER

A County Council committee held a testy hearing Monday on zoning changes for several Damascus properties not because the changes were controversial, but because two councilmen held ex parte discussions with a lawyer on the topic.

Zoning changes are required on eight properties to conform to the vision of the new Damascus Master Plan.

The council's Planning, Housing and Economic Development Committee meeting began with a

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### EX PARTE

mild scolding from staff legislative analyst Marlene Michaelson because Councilmen Michael J. Knapp (D-Dist. 2) of Germantown and Steven A. Silverman (D-At large) of Silver Spring had talked to a lawyer about one of the properties outside of the hearing, which is against council rules.

Knapp is not a member of the committee, but Silverman is. Both had agreed to recuse themselves from any votes on the matter.

A public hearing on the proposed zoning changes was held June 25. At that time the council heard testimony from property owners and read letters requesting changes. In all cases staff recommended sticking to the original decisions the council made when it adopted the master plan in May.

Monday morning's hearing moved along swiftly through the proposed zoning issues until the committee had a question about who would be responsible — the property owners or the county — for a planned realignment of Kings Valley Road that the new master plans says should occur when the Kingstead property is developed.

Despite a notice on the front page of the council

staff information sheets for the meeting reminding council members that no member of the audience other than staff should be allowed to participate in the meeting, Silverman turned to lawyer Stephen Kaufman, who represented the owners of the Kingstead property, with a question.

Michaelson and Councilwoman Marilyn J. Praisner (D-Dist. 4) of Calverton silenced Kaufman before he could speak.

"Even today we have questions on what's appropriate and what's not — we need to be straightened out on that," Praisner said after a heated exchange with Silverman.

The committee also approved creating a new zone to implement the recommendations for the Damascus town center. The zone would be the first in the county to permit increased development in a town center through the use of transfer development rights.

Property owners by right will be able to develop at a density of eight units per acre or they can buy development rights from agricultural property owners and develop at a density of 20 units per acre.

The County Council is scheduled to vote on the zoning changes Tuesday.